

DRAFT



CITY OF GAITHERSBURG
MINUTES OF A REGULAR CITY COUNCIL MEETING
MONDAY, AUGUST 6, 2007

A meeting of the Mayor and City Council was called to order at 7:30 p.m., Mayor Katz presiding. Council Members present: Alster, Edens, and Marraffa. Council Members Absent: Schlichting and Sesma. Staff present: City Manager Humpton, Assistant City Managers Felton and Tomasello, Planning and Code Administration Director Ossont, City Attorney Borten and Executive Assistant Stokes.

I. PLEDGE OF ALLEGIANCE

The Pledge was led by Assistant City Manager Fred Felton.

II. INVOCATION

The invocation was led by Rabbi Mark Raphael, Kehilat Shalom, Gaithersburg, Maryland.

III. APPROVAL OF MINUTES

Motion was made by Council Member Alster, seconded by Council Member Edens, that the minutes of the Mayor and Council meeting held July 23, 2007, be approved.

Vote: 3-0

IV. APPOINTMENTS

Resolution of the City Council Confirming an Appointment and Reappointments by the Mayor

This resolution confirmed the following: **Art in Public Places Committee**, Howard Cohen (reappointment), 14421 Travilla Garden Circle, Rockville, Maryland 20850, two-year term; **Cultural Arts Advisory Committee**, Beverle Kowalchick (reappointment), 12320 Bradburg Drive, Gaithersburg, Maryland 20878 and J. Persensky (reappointment), 116 Summit Hall Road, Gaithersburg, Maryland 20877, two-year terms; **Commission on Landlord/Tenant Affairs**, Larry Luhn (Landlord- reappointment), 18428 Azalea Drive, Derwood, Maryland 20855, three-year term; **Economic Development Committee**, Frank Emerson (reappointment), 138 Thurgood Street, Gaithersburg, Maryland 20878 and Hermann Wendorff – BB&T (appointment), 467 North Frederick Avenue, Gaithersburg, Maryland 20877, three-year terms; and the **Multicultural Affairs Committee**, Boris Foxman (appointment), 116 East Deer Park Drive, Gaithersburg, Maryland 20877, two-year term.

Motion was made by Council Member Edens, seconded by, Council Member Marraffa, that a RESOLUTION OF THE CITY COUNCIL CONFIRMING AN APPOINTMENT AND REAPPOINTMENTS BY THE MAYOR TO THE BEAUTIFICATION COMMITTEE, COMMISSION ON LANDLORD/TENANT AFFAIRS, EDUCATION COMMITTEE, AND MULTICULTURAL AFFAIRS COMMITTEE (Resolution No. R-84-07), be approved.

Vote: 3-0

V. PRESENTATION**Progress Report on Solicitation of Development Proposals for City-Owned Property in Olde Towne**

Assistant City Manager Tomasello reported that the City executed a contract with the Staubach Company to provide consulting services relating to the solicitation of development proposals for two City-owned properties at the "Y" site and 315 East Diamond Avenue. Mr. Tomasello, Planning and Code Administration Director Ossont, Planning Director Pruss, and Olde Towne Revitalization Coordinator Hines, worked with the Staubach Company to develop and distribute about 40 plus Request for Qualifications (RFQ) documents intended to identify potential bidders for the above projects. Assistant City Manager Tomasello stated the City will move towards a more formal stage, the Request for Proposal (RFP) to qualified firms later in the month. Doug Damron, representative for Staubach, gave a brief progress report on the above initiative and discussed the next steps and timeline. He stated that multiple responses were received from the RFQs and the RFPs will be sent out within the next week to receive responses by mid-September. He further stated that the next step would be to perform interviews and conduct the evaluation process. He added that the City's Master Plan is an economic catalyst for Olde Towne Gaithersburg. The Staubach Company anticipates receiving proposals for a mixed use of multi-family residential, retail, and office space. Mr. Damron added that the selection process will become more public following the distribution of the RFPs and interviews. Assistant City Manager Tomasello concluded the presentation stating that the consultants have been hired not to make the selection, but to assist the City and rank the best qualified bidders for the projects.

VI. PUBLIC APPEARANCES

1. *Cathy Drzyzgula, 16 Walker Avenue*, questioned how many responded to the RFQ mentioned in the above presentation. She also asked for the status of the Archstone project. City Manager Humpton responded that City Attorney Borten is reviewing the contract and incentive agreement with Archstone and staff anticipates a signing within days.
2. *D.J. Jones- Reilly, 104 Sunnybrook Terrace, #414*, stated she is the editor of On Our Own of Montgomery County, Inc. (*Wellness and Recovery Center*), and presented copies of the newsletter for the Mayor and City Council and City staff.

VII. FROM THE MAYOR AND CITY COUNCIL/ANNOUNCEMENTS**Council Member Marraffa**

Announced vacancies on various City Boards, Commissions, and Committees.

Council Vice President Alster

1. Announced the City will celebrate National Night Out Against Crime on Tuesday, August 7, 2007, 7 to 9 p.m. at four locations (Lakelands Park, Morris Park, Kelley Park, and Diamond Farms Park). Mayor Katz added that unofficially, the City Council will stop at Antojitos Restaurant on East Diamond Avenue to partake in their celebration as well.
2. Asked staff to give the Mayor and City Council an update on the Heeter Crown Farm House located at 10000 Fields Road. The Mayor and City Council had a discussion and received input from representatives of Montgomery Preservation, Inc. and residents on the preservation and documentation of the farmhouse during the July 23, 2007 Mayor and City Council meeting.

Mayor Katz

Announced the following meeting schedule:

- work session on Monday, August 13, 2007, to discuss two topics, Police Beat Formation and other police issues, and to review the proposed polling locations for the November 6, 2007 City Election.
- regular meeting of the Mayor and City Council scheduled for Monday, August 20, 2007.

VIII. FROM THE MAYOR AND CITY COUNCIL/ANNOUNCEMENTS

Suggested placing a plaque and planting a tree at Kelley Park in honor of Duane Whitted, who recently passed away. Mr. Whitted cared for the City's baseball fields for over 20 years. The Mayor and City Council all concurred and directed staff to proceed.

IX. ORDINANCES, RESOLUTIONS, AND REGULATIONS**Resolution Awarding Matching Grants**

This resolution authorized the City Manager to award matching grants to the Kentlands Condominiums II for irrigation system (\$2,575); Kentlands Condominiums (Townhomes) for landscaping (\$3,699); Kentlands Condominiums IV for lighting and landscaping (\$1,914); and Cooperfield Crossing Condominiums for landscaping (\$875), upon determining that the projects were completed as proposed, in the total amount of Nine Thousand Sixty-Three Hundred Dollars (\$9,063); said funds to be expended from the Capital Improvements Budget.

Motion was made by Council Member Marraffa, seconded by, Council Member Alster, that a RESOLUTION OF THE MAYOR AND CITY COUNCIL AWARDING MATCHING GRANTS TO KENTLANDS CONDOMINIUMS II, KENTLANDS CONDOMINIUMS (TOWNHOME), KENTLANDS CONDOMINIUMS IV, AND COPPERFIELD CROSSING HOA (Resolution No. R-85-07), be approved.

Vote: 3-0

X. FROM THE ASSISTANT CITY MANAGERS, CITY ATTORNEY AND OTHER STAFF

- **Staff Guidance on Memorandum Dated August 1, 2007 for Proposed Text Amendment in the Corridor Development (CD) Zone**

Planning and Code Administration Director Ossont stated a letter was received from Jody Kline, Miller & Canby on behalf of the Artery Group. Staff has been working with the group on a North Frederick Avenue redevelopment plan. The proposed project would necessitate a text amendment to increase the height limits by one story in the Fairgrounds Commercial District. The Mayor and City Council directed staff to advertise and schedule a joint public hearing for the proposed text amendment.

- **Staff Guidance on Memorandum Dated August 1, 2007 for Proposed Text Amendment in the I-3 Industrial Office Park Zone**

Planning and Code Administration Director Ossont stated a letter was received from Barbara Sears, Linowes and Blocher on behalf of Monument Realty. Staff has been working with Monument on an amendment to their approved office park plan located north of the IBM/Lockheed campus on North Frederick Avenue. The proposed text amendment would expand the hotel uses into the I-3 Industrial Office Park Zone which is currently not permitted. The City Council asked for clarification on the full service and limited service hotels permitted and expressed concern with limited service hotels in said zone. Staff was directed to continue to work with the developer, advertise and schedule a joint public hearing for the proposed text amendment.

XI. ADJOURNMENT

There being no further business to come before this session of the City Council, the meeting was duly adjourned at 7:59 p.m.

Respectfully submitted,

Doris R. Stokes

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Executive Assistant